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ADDENDUM

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## REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION FOR THE YEAR 1997

### Addendum

#### Comments of the International Civil Service Commission on the report of the Secretary-General entitled "Proposed United Nations Code of Conduct" (A/52/488)

1. The General Assembly, in its decision 521 of 31 March 1998, invited the International Civil Service Commission (ICSC) to examine, as a matter of priority, a Code of Conduct proposed by the Secretary-General (A/52/488) at its forthcoming forty-seventh session. The Commission agreed to take up the Assembly's request and amended its agenda accordingly.
2. To facilitate the review, the ICSC secretariat presented a document that (a) explained the background leading to the General Assembly's urgent request to the Commission; (b) identified the main issues related to the requested examination; and (c) compared the proposed United Nations Code of Conduct with the current Staff Regulations and Rules of the United Nations, calling attention to new or revised regulations.

#### Views of the organizations

3. The Chairman of the Consultative Committee on Administrative Questions referred to two distinct elements in the report of the Secretary-General: (a) recommendations for amendments to the Staff Regulations and Rules; and (b) changes to the code of ethics incorporated in the Report on Standards of Conduct in the International Civil Service 1954 prepared by the International Civil Service Advisory Board (ICSAB). The first matter related to the United Nations alone. Other organizations might have different concerns from those of the United Nations, which they would want included in any codes of conduct they might develop. The matter had therefore to be left to individual organizations as a function of their differing needs. As to the second matter, the Consultative Committee had already decided to review the 1954 ICSAB Standards of Conduct. The Consultative Committee would be pleased to participate in a working group if the Commission decided to consider the matter in that way, but it doubted that a working group at the present session could come forward with recommendations on the 1954 ICSAB Standards of Conduct. Moreover, as the item could only be taken up after its session had ended, the Committee had not had



time to form a common position. Members of the Committee would therefore have to participate in the working group in their personal capacity.

4. The Legal Counsel of the Food and Agriculture Organization of the United Nations (FAO) recalled that the 1954 Standards of Conduct had been adopted on the authority of the Administrative Committee on Coordination and were applicable throughout the United Nations system. They had the force of guidelines/advice. In FAO, they had been incorporated into the personnel manual section and had a certain legal effect. They were often cited in Tribunal cases as being fundamental to the rules and regulations of the organizations. They were almost a constitution, without, however, a specific legal force; the staff rules and regulations drew inspiration from them. The proposed United Nations Code of Conduct was limited to an amendment to the Staff Regulations and Rules of the United Nations, drawing inspiration from the Standards, but extending some of those concepts and giving them legal force. The commentaries included in the proposed Code of Conduct had no legal force. They were guidance to staff, but they also provided an indication of how the Administration would interpret the regulations. In that sense they were binding on the Administration because they indicated how it would implement them. Amendments to the Staff Regulations of the United Nations were not directly applicable to other agencies or to FAO. In the case of FAO, any such amendments would have to be presented to the FAO Council, preceded by consultations with the staff. Thus, by definition they could not be automatically applicable.

5. The FAO Legal Counsel considered that the title "Code of Conduct" was misleading and inappropriate as it was not foreseen to be applied system-wide, which, however, the name implied. The idea of giving more legal force to the Standards of Conduct by including certain elements into more binding legislation such as the Staff Regulations and Rules was, overall, a good one. Some provisions, however, could raise concerns and would require clarification. The agencies were located in different countries, all of which had different ways of approaching such matters. The proposed Code perhaps reflected more the country where the United Nations was headquartered. There should be a basic consistency in the rules and regulations of the different United Nations agencies; changes to those rules should also be consistent. The specialized agencies had not been consulted; such important changes should take place system-wide. Insofar as the regulations applied only to United Nations staff, FAO had no standing to comment. However, there would be political pressure on the rest of the system to adopt a similar code subject to individual procedures. FAO would prefer that ICSC take a cautious approach and ask the United Nations to hold off until a system-wide approach could be considered. If this were not possible in view of the political momentum of the United Nations consideration of the Code of Conduct, the specialized agencies at least should have a consistent approach.

6. The representative of the International Atomic Energy Agency (IAEA) agreed with the FAO Legal Counsel's analysis of the procedural and practical implementation problems that would arise if the changes indicated in the United Nations document were to be applied automatically to other agencies. Each organization had the right to revise its staff regulations and rules to meet its particular needs; changes made in one organization could not be applied automatically to others since the areas of concern were different. In IAEA, an area of major concern was the protection of confidential information, in particular as it related to nuclear safeguards. IAEA had recently taken further steps to strengthen its regime for the protection of confidential information by requiring all staff members and other persons employed by the Agency to sign a confidentiality undertaking and a separation statement not to disclose to any person, Government or organization any confidential information that might have

come to their knowledge as a result of their employment with IAEA, unless they had received prior authorization; disciplinary measures and legal sanctions were to be involved in case of a breach. While this was of paramount importance to IAEA, it would be unrealistic to expect other organizations to implement a similar measure. The question of application of the proposed changes to the Staff Regulations and Staff Rules of the United Nations should be handled in the same manner as far as the other organizations were concerned. It was only the ICSAB Standards of Conduct that were applicable to all organizations. He noted that both the Consultative Committee on Administrative Questions and ICSC had identified the need to revise the Standards in order to reflect current human resource practices and indicated that his organization was prepared to cooperate in that effort.

7. The representative of the International Civil Aviation Organization (ICAO) informed the Commission that his Organization had included the standards of conduct in a personnel instruction. Changes to the Staff Regulations and Rules made by the United Nations could not be carbon-copied in ICAO, as the Organization had specific regulations relating, *inter alia*, to civil aviation. He also noted that the proposed regulation on financial disclosure for the Assistant Secretary-General level and above would in ICAO concern only the Secretary-General himself since there were no other positions at those levels in the Organization.

8. The representative of the International Telecommunication Union (ITU) indicated that the exercise posed a problem of principle for his organization. The United Nations document contained proposed amendments to the Staff Regulations and Rules of the United Nations that were to be implemented only within the United Nations. Accordingly, he considered it to be a legislative exercise in which the specialized agencies would not normally be involved. However, as the Vice-Chairman of ICSC had explained in recalling the reasons that had led the Fifth Committee of the General Assembly to submit the proposed amendment to the Commission for review, implementation of the new Code of Conduct would have implications across the common system. The specialized agencies therefore had an interest in taking part in the discussion, in particular if it were decided to form a working group. He noted, however, that it would have been preferable for such participation to have taken the form of a prior dialogue among the organizations of the common system and considered that the 1954 Standards of Conduct should have been used as a working basis. He emphasized that ITU was attached to the 1954 text, which, although it had not been legally incorporated into the Union's staff regulations and rules, had been published and circulated to all members with a preface from the Secretary-General calling upon them to abide by it fully. Moreover, it had on several occasions been supplemented by administrative instructions. Those standards as promulgated had served as the basis for administrative actions, including disciplinary measures taken against officials, which had been upheld by the International Labour Organization Administrative Tribunal.

9. The representative of the International Maritime Organization (IMO) noted that there was a much stricter approach to accountability than had been the case in the 1960s. This was a reflection of changes that had taken place in the world. The United Nations initiative was bound to have implications, as it was focusing a debate that might otherwise not have taken place. ICSC might wish to lay down some general policies about how organizations approached change, bearing in mind that every organization had its own needs and culture. With respect to the substance and procedure of the United Nations proposed amendments, he considered that some revisions would not be appropriate to IMO as it did not, for example, have a management structure that would compel financial

disclosure. He considered that the Commission had three mandates before it: (a) to comment on the United Nations draft; (b) to decide on the general policy implications for the common system; and (c) to express in a general way points on which there was commonality. He wanted to ensure that the United Nations proposal would not be viewed as representative and he cautioned against haste.

10. The representative of the United Nations explained that the 1954 Standards of Conduct provided staff with a set of ethical standards to which they could refer. Each organization had developed staff regulations and rules that in legislative form reflected those principles, adapted to the specific needs of the particular organizations. In the United Nations, those rules were set out in the first article of the Staff Regulations (promulgated by the Assembly) and the first chapter of the Staff Rules (promulgated by the Secretary-General). Although those standards were not rules and regulations per se, they were a useful point of reference, which had been used on occasion by the United Nations Administrative Tribunal. The United Nations was now proposing to review and amend chapter I of its Regulations and Rules, including when necessary to translate some of the ethical standards into rules. The purpose of the commentary that accompanied the proposed amendments was to provide a set of explanations and interpretations that were easily accessible to staff and administration and could be used to implement in a consistent manner the rules at the different duty stations. It was an official guide published by the Secretary-General on the scope and application of the rules in the Code of Conduct. The commentary would be updated in the light of experience without changing the rule itself.

11. A copy of the proposed Code of Conduct, including extracts from the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations, the text of article I of the Staff Regulations and the text of chapter I of the Staff Rules, together with the explanatory commentary and the 1954 ICSAB Report would be issued to staff in booklet form. The United Nations was not proposing an entirely new set of rules and regulations. However, as the provisions of article I of the staff regulations and chapter I of the staff rules had not been changed in a long time, it was now felt appropriate to review it. In effect, many existing regulations and rules were repeated in the Code. He acknowledged that to call the amendment a "code" might have created confusion and might, in retrospect, have been a misnomer. Finally, he noted that, while all organizations that had approved the 1954 Standards of Conduct and in fact had collectively through the Administrative Committee on Administration approved a new introduction to it in 1986, each had its own set of rules and regulations and consequently it was up to them to decide how and when to amend them.

12. As to the steps leading up to this, the United Nations representative explained that the exercise had begun in 1994 when the Secretary-General, in his 1994 report on the efficiency of the administrative and financial functioning of the United Nations (A/C.5/49/1), had announced that he would promulgate a code of conduct. Over the next two years the Office of Legal Affairs of the Secretariat had worked on the preparation of a draft Code. The draft Code had been circulated to United Nations programme managers in June 1996; comments were received in the course of that summer, after which the Legal Office prepared, in October 1996, a new text based on a compilation of those comments. Programme managers were then requested to comment on the redrafted text by January 1997; a third draft was prepared and circulated to managers and staff representatives in February 1997 with a call for comments by April 1997. At that point, the Secretary-General decided that there was a need for more formal consultations with the staff representatives. A working group of the Staff-Management Coordination Committee met in May 1997 to discuss the text, to which it

recommended some 40 changes. The new text was recirculated in June 1997 to the Staff-Management Coordination Committee as a whole, at which time a second working group made some 50 additional changes. The Staff-Management Coordination Committee recommended the revised text to the Secretary-General with a letter from the staff expressing some reservations. The Secretary-General approved that text, which was then submitted to the General Assembly. The United Nations representative concluded by noting that the Secretary-General, in the context of his reform proposal, had stressed that he expected a total commitment to excellence from the managers and staff of the United Nations. This included adhering to the highest standards of conduct. Hence his proposal for a Code of Conduct, which was an integral part of that process.

#### Views of the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System

13. The President of the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System explained that the consultation on this issue had been a very difficult process. The staff representatives had tried to initiate amendments that would afford the best protection possible, ensure their rights to due process and establish a true sense of accountability for the management of human resources. The proposed Code of Conduct was a compromised effort that remained less than satisfactory to many parties. The Secretary-General had made it clear that he expected a final document to be delivered to him by the end of the twenty-first session of the Staff-Management Coordination Committee in June 1997. Since the staff representatives at that session did not have among their members a specialist in international law, they had decided to point out their reservations to the Secretary-General and reserve their right to make additional comments on the document. The Coordinating Committee believed that the Code of Conduct should act as a catalyst for the progressive implementation of modern management practices. It was also the hope that, as the document continued to go through metamorphoses and as other elements of the common system adapted and adopted it, the staff representatives would continue to play an active role and would strive to make the Code the type of document that offered equal protection for all.

#### Discussion by the Commission

14. The Commission observed that the General Assembly had decided only on 31 March 1998 to refer to ICSC for review a matter that had been under preparation in the United Nations for some four years. Further, once the proposed Code of Conduct was completed, the United Nations had submitted it to the Assembly for its urgent consideration. Moreover, the Assembly had requested the Commission to undertake and complete its review at the current session. It was understandable that the Commission would have preferred to have had more notice of the Assembly's request, as well as more time in which to respond.

15. The Commission held a general exchange of views on the issue, including how the examination of the proposed Code of Conduct would be approached. As a result of that exchange and given the technical nature of the task, the Commission decided to form an open-ended working group of the whole, with the participation of the Consultative Committee on Administrative Questions secretariat, representatives of the United Nations, FAO, IAEA, ITU, IMO and the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System, to examine the proposed Code in detail. The terms of reference of the open-ended working group were set out by the Commission as follows:

(a) To examine the proposed United Nations Code of Conduct submitted by the Secretary-General in his report of 17 October 1997 (A/52/488) and the related document of the ICSC secretariat (ICSC/47/CRP.3), focusing in particular on the new provisions of article I of the Staff Regulations and chapter I of the Staff Rules;

(b) In that review, the working group might also wish to comment on the values and standards of conduct that should frame the core of the rights, duties and obligations of staff.

16. Members deliberated as to what elements should be included in the review. The General Assembly's request had underscored a need for an updating of the 1954 ICSAB Standards of Conduct. As the item already appeared on the programme of work of ICSC, the Commission agreed that it would undertake such an update and would do so in collaboration with the Consultative Committee on Administrative Questions, which, it noted, had also decided to review the standards. The Commission considered that it would have been preferable to have reviewed the ICSAB Standards prior to the proposed Code of Conduct. However, it was evident that a review of the Standards could not be completed at the current session and that the Commission would have to limit the scope of its review to the proposed United Nations Code and, specifically, the proposed amendment to article I of the United Nations Staff Regulations and chapter I of its Staff Rules.

17. The Commission noted that under its statute it had responsibility for harmonizing the development of common staff regulations. ICSC had decided in 1987 that the substance of staff regulations and rules should be rendered as uniform as possible. It was recognized that there would always be some minor differences; what was important was that those differences not lead to inequities in the treatment of staff. The proposed Code of Conduct presented the risk that, if promulgated, it would create a gap between the United Nations and the other agencies. The new United Nations regulations and rules could have a spillover effect and be of interest to others, which could, in turn, create pressure on other organizations to adopt similar regulations and rules. Some members thought that it would be possible for the Commission to enunciate some general principles that should pertain to the staff regulations and rules of all organizations. It was agreed that a reflection on general principles could accompany its future work on the modernization of the ICSAB Standards.

18. ICSC noted that the United Nations representative had emphasized that the proposed amendment to the Staff Regulations and Rules of the United Nations would apply only to the United Nations and would require approval by its governing body, the General Assembly; the representatives of the agencies present had the same understanding. However, this was not clear from the title used by the United Nations; the title had created some confusion as to the difference between a code of conduct, standards of conduct, ethics and the Staff Regulations and Rules and was, in the Commission's view, misleading. The use of the word "code" seemed to imply that it would replace the 1954 ICSAB Standards of Conduct, which would have implications for the common system. The meaning of the word "codify", which appeared throughout the document under consideration, was ambiguous as it referred to ethical and moral regulations. In law, "to codify" was to express in writing customary law.

19. It was noted that a number of national civil services were currently engaged in improving their ethical codes; post-industrial societies required new ethical approaches. Organizations in the United Nations common system had an obligation to ensure that their staff observed the standards and values set

forth in the Charter of the United Nations and the 1954 Standards of Conduct established by ICSAB. They had, at the same time, to ensure that the standards and values expressed therein had kept pace with the times. Increasingly, responsible and effective management of human resources required that greater attention be paid to the question of ethics. Work currently being carried out in that connection by the Organisation for Economic Cooperation and Development (OECD) was cited. OECD had developed a two-tier model, emphasizing on the one hand compliance, which contained regulatory elements, and, on the other, principles of integrity, which were highly relevant for the functioning of civil services. ICSC considered that in its review of the proposed United Nations Code it would be useful to bear in mind the balance between the dual notions of compliance/regulation and integrity/ethics.

20. The Commission noted the concerns expressed by the organizations and was sensitive to those concerns. Given the time constraints, the Commission decided that, by limiting its focus to a review of the proposed amendment to the Staff Regulations within the requested time-frame, it could satisfy the General Assembly's request without compromising the prerogative of other organizations, should they so wish, to carry out their own exercises in that respect. In that connection, ICSC would follow up with the organizations to ascertain what initiatives, if any, were being undertaken or planned.

21. In reviewing the United Nations document containing article I of the draft Staff Regulations and chapter I of the draft Staff Rules, the Commission offered views on the contents as follows.

#### Provisions of the Charter of the United Nations

22. It was noted that in Article 97 of the Charter, the role of the Secretary-General seemed to be defined differently in the English and French versions. The English text cited the Secretary-General as the chief administrative officer of the Organization, whereas the French text referred to him as the highest international civil servant. The Commission did not consider that it was necessary to cite Article 99 of the Charter and recommended that the reference be deleted; the relationship between the conduct of international civil servants and the content of Article 99 was not clear.

#### Provisions quoted from the Convention on the Privileges and Immunities of the United Nations

23. Concern was expressed about the security of locally recruited staff. While it was true that all staff were bound by legal rules and obligations, organizations also had moral obligations vis-à-vis their local staff, especially when they were at risk as a result of their employment with the Organization.

#### Other United Nations officials

24. The Commission noted that, as indicated in paragraphs 4 to 6 of the commentary under the Convention on Privileges and Immunities, the General Assembly might consider that "officials other than Secretariat officials" should also be subject to a code of conduct and that a draft Code was being developed for them.

#### Staff regulation 1.1 (c)

25. The Commission proposed that the phrase "relevant decisions of the General Assembly" be added to the text, to read:

"The Secretary-General shall ensure that the rights and duties of staff members, as set out in the Charter and the Staff Regulations and Rules, and the relevant decisions of the General Assembly ... are respected."

It was felt that the regulation might be more balanced if it stated that the Secretary-General should not only ensure that the rights and duties of staff members were respected, but also guarantee that they were.

Staff regulation 1.1 (d)

26. Some members of the Commission were not convinced that there was a need for this regulation. Even though the reference to recruitment of staff on as wide a geographical basis as possible had not been included in the regulation, the substance was already reflected in Article 101 of the Charter. These members were of the view that geographical distribution should be mentioned in the text of this staff regulation; others pointed out that, as the Regulations referred also to General Service staff, a reference to geographical distribution would not be appropriate. Some other members considered that if geographical balance was added, gender balance should also be added; it was however noted that a provision for that concept already existed under regulation 4.2. A discussion ensued over the inclusion of parts of Article 101 and not others. As the focus of the regulation seemed to be on conditions of service, the Commission recommended that the words "in the employment of staff and" be deleted. The Commission noted that the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System could not accept the exclusion of a provision it had insisted upon and would have preferred to expand the text rather than shorten it.

Staff regulation 1.2 (a)

27. The Commission considered that, while the overall intention of this staff regulation was good, some words and expressions could be open to misinterpretation. It would be preferable to avoid the use of the word "faith", concentrating instead on the need for staff to respect the principles of the Charter and United Nations texts on fundamental human rights. Additionally, if the concept of discrimination were better defined, for example in the commentary, the text would be clearer and more precise.

Staff regulation 1.2 (b)

28. The Commission considered that the 1954 ICSAB Standards better reflected the meaning of integrity than the definition provided in the second sentence of the draft regulation. Some members considered that the word "incorruptibility" should be added to the definition. The following explanation by the United Nations representative was noted: that special emphasis had been placed on the concept of integrity as, of the three standards contained in Article 101 of the Charter, it was the most difficult to measure in relative terms.

Staff regulation 1.2 (f)

29. It was suggested that the word "national" should be added to the phrase "including their political and religious convictions". However, after some reflection the Commission concluded that "staff members' personal views and convictions" encompassed the concept of national sentiment, rendering the addition unnecessary.

#### Staff regulation 1.2 (g)

30. The Commission noted the United Nations representative's confirmation that this regulation had been the subject of lengthy discussions with the staff representatives who, at the time, had insisted on the inclusion in Article I of provisions related to representatives of the staff and their protection. The regulation recognized the official status of staff representatives; staff representatives, in that capacity, should not be discriminated against as long as they acted in conformity with chapter I. The Commission concluded that the United Nations should consider placing this provision under chapter VIII of the Regulations and Rules, which, in its view, was more appropriate as it related to staff representation.

#### Staff regulation 1.2 (h)

31. The Commission took note that the objective of this regulation was to avoid conflict of interest and that the Office of Internal Oversight Services had sought to ensure that all possibilities were envisaged.

#### Staff regulations 1.2 (k) and (m)

32. The Commission noted the United Nations representative's explanation that regulation 1.2 (k) should be seen as a natural complement to regulations 1.1 (a) and 1.1 (b). The Commission pointed out that the word "remuneration" was deemed to include supplementary payments by certain Member States to staff who were their nationals. Some members of the Commission proposed leaving current staff regulation 1.6 as it was, instead of breaking it down into two different staff regulations, 1.2 (k) and (m), as proposed in the draft Code. There was some discussion over the word "favour", which the Commission felt would be better expressed by the word "advantage".

#### Staff regulation 1.2 (o)

33. This regulation was the subject of a long discussion in which different views were expressed. Three positions emerged, which could be summarized as follows: (a) those who could not support the inclusion of such a regulation; (b) those who could, in principle, support it, but foresaw problems with implementation; and (c) those who were in favour of it.

34. The reasons under (a) above were the most numerous and included the following: under the laws of some countries, where the assets of married couples were held separately, a staff member's spouse could not be compelled to divulge his/her assets, in some cases even to his/her partner. Moreover, while an organization might regulate its staff member, it would be more difficult to extend that power to the family. It was felt also that there was a potential political drawback in that it would discourage some candidates, who did not wish to make such a disclosure, from accepting United Nations employment. As Member States would not propose candidates lacking in integrity, there was no need for this regulation. The view was also expressed that, in some countries where this requirement was in place, it had been ignored and that the administration of such an exercise was costly and the information obtained not easily verifiable. The last, but not least, consideration in the minds of some members of the Commission was that the regulation constituted an invasion of privacy and the information might not remain confidential. It was noted, moreover, that at a recent OECD seminar on ethics, which two members of the Commission had attended, the matter of financial disclosure had not been broached.

35. As for the position described in paragraph 33 (b), those members of the Commission who could support such disclosure considered that implementation could prove difficult. An example given was how to oblige compliance from the spouse and children who were not part of the staff member's actual family unit.

36. With respect to the position referred to in paragraph 33 (c), those who supported the regulation observed that in certain national civil services the regulation extended even to lower-level staff if they worked in the area of procurement.

37. It was noted that currently the existing rules already required a staff member claiming a dependency allowance to file a sort of financial disclosure form; at the same time, that disclosure related to salary only and not to assets. It was also noted that the confidential information would not be placed in the staff member's personnel file, but would be kept separately under the personal supervision of the Under-Secretary-General for Management. The Commission further noted that the regulation was not made applicable to the Director level because it was considered more relevant at the Assistant Secretary-General/Under-Secretary-General levels.

Staff rule 101.2 (d)

38. The Commission considered that a better definition of discrimination was needed, in the commentary, for example, as there were cases of selectivity, such as those based on performance, that could not be considered discriminatory.

Staff rule 101.2 (e)

39. The commentary was considered to have been better drafted than the rule and the interpretation provided therein should stand. Moreover, some members even questioned the necessity for it.

Staff rule 101.2 (h)

40. The Commission noted the suggestion of the President of the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System that the part that referred to staff representatives should be removed from the rule and that it should be addressed under chapter VIII of the Staff Regulations and Rules. The Commission considered that it was in fact more helpful to the staff in its present place where a context for it was provided.

Staff rule 101.2 (i)

41. As in the case of regulation 1.2 (k), the Commission considered that the text should refer to "advantage" rather than "favour".

Staff rule 101.2 (l)

42. Although it was noted that the proposed rule was very detailed and might be promulgated instead in an administrative circular, the Commission felt that it provided a protection for staff and should stand.

Staff rule 101.2 (q)

43. Some members of the Commission expressed the concern that membership in political parties should be permitted only if those parties had aims consistent

with those of the United Nations. However, it was agreed that the provisions of staff regulations 1.2 (a), (f) and (i) covered that concern.

Staff regulation 1.3 (a)

44. The Commission noted that supervisors were automatically included under "staff members" and observed that the accountability of managers was understood to be an inherent part of this regulation.

Staff regulation 1.3 (b)

45. While this was seen as a useful regulation, the Commission considered that the commentary provided a more balanced explanation than the regulation itself.

Decisions of the Commission

46. In reaching its conclusions, the Commission considered that it had met the General Assembly's request. It wished to make a distinction, however, between a core of common standards, which, in its view, should govern the entire civil service, and specific regulations and rules, which might vary, depending on the different needs of the individual organizations. It also decided to place on its work programme the updating of the 1954 ICSAB Standards of Conduct in collaboration with the Consultative Committee on Administrative Questions, noting that such a review, as well as future experience, might lead to more changes in the regulations and rules. It further decided to follow up with the organizations to ascertain what initiatives, if any, were being undertaken or planned with respect to the development of ethical standards.

47. The Commission decided to recommend that the United Nations might proceed with the proposed amendment to its Staff Regulations and Rules, bearing in mind the views expressed above, and on the understanding that the revised text was applicable to the United Nations only and would not be applicable to other organizations.

48. In the light of its discussion reported in paragraph 18 above, the Commission recommended that the United Nations replace the term "Code of Conduct", which could be misunderstood, by another, more appropriate designation.

49. The Commission expressed its appreciation to the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System for its active participation in the Working Group.

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